

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)	
)	Case No. 1:05-CR-150
v.)	
)	
FRANK SMITH)	COLLIER/CARTER

REPORT AND RECOMMENDATION

A May 15, 2006, letter from Stephen M. Dewalt, Warden of the Federal Bureau of Prisons in Lexington, Kentucky, and a Forensic Evaluation of defendant Frank Smith were received by the undersigned Magistrate Judge. The findings in the evaluation were that the defendant is competent to stand trial and was sane at the time of the alleged offense. A Waiver of Mental Competency Hearing was filed by counsel on May 17, 2006 (Doc. No. 30). The Court RECOMMENDS on the basis of the waiver and the evaluation that defendant Frank Smith be found competent to stand trial.

s/William B. Mitchell Carter
UNITED STATES MAGISTRATE JUDGE